REMARKS

The Office Action of August 18, 2008 was received and carefully reviewed. Claims 1-31 are currently pending for consideration in the instant application, of which claims 1, 6, 10, 14, 20 and 26 are independent. Reconsideration and withdrawal of the currently pending rejections are requested for the reasons advanced in detail below.

In the Office Action, claims 1-31 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. Pub. 2006/0119892 to Kujirai (Kujirai) in view of U.S. Patent No. 6,993,666 to Hokkanen et al. (Hokkanen). Kujirai in view of Hokkanen, however, fails to render the claimed invention unpatentable. Each of the claims recite a specific combination of features that distinguishes the invention from the prior art in different ways. For example, independent claims 1, 6, 10, 14, 20 and 26 each recite a combination that includes, among other things:

> wherein each embedded code is matched with an access code stored in memory and wherein the authorization of the subset of device features occurs if each identified access code embedded in the job stream matches each stored access code for the job.

At the very least, the applied references, whether taken alone or in combination, fail to disclose or suggest any of these exemplary features recited in independent claims 1, 6, 10, 14, 20 and 26.

The Office has failed to establish a *prima facie* case of obviousness for at least four reasons. First, the Office has not demonstrated how Kujirai and Hokkanen, whether taken alone or in combination, disclose or suggest each and every feature recited in the claims. *See* M.P.E.P. § 2143 (7th ed. 1998). Second, the Office has not shown the existence of any reasonable probability of success in modifying Kujirai, the base reference, based on the teachings of Hokkanen, the secondary reference, in a manner that could somehow result in the claimed invention. *See id.* Third, the Office has not identified any suggestion or motivation, either in the teachings of the applied references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the apparatus of Kujirai in a manner that could somehow result in the claimed invention. *See id.* Finally, the Office has not explained how his obviousness rationale could be found in the prior art — rather than being a hindsight reconstruction of Applicants' own disclosure. *See id.*

Each of the Office's factual conclusions must be supported by "substantial evidence" in the documentary record, as required by the Federal Circuit. *See In re Lee*, 61 U.S.P.Q.2d 1430, 1435 (Fed. Cir. 2002). The Office has the burden of documenting all findings of fact necessary to support a conclusion of anticipation or obviousness "less the 'haze of so-called expertise' acquire insulation from accountability." *Id.* To satisfy this burden, the Office must specifically identify where support is found within the prior art to meet the requirements of 35 U.S.C. §§ 102(b) and 103. In this case, however, the Office has failed to satisfy his burden of demonstrating how Kujirai, taken alone or in combination with Hokkanen, can either anticipate or render obvious each and every one of the limitations present in independent claims 1, 6, 10, 14, 20 and 26, as required by the M.P.E.P. and Federal Circuit jurisprudence.

The Office asserts that Kujirai discloses a system (Fig. 1) comprising: an access code system that embeds at least one access code (password) in a job stream, and a job transmission system that transmits the job stream to a device (page 1, paragraphs 0007-0008 and page 3, paragraph 0038). Kujirai does not disclose each embedded code permitting access to a subset of device features, but not to other device features of the device. The Office then states that "Hokkanen et al. does disclose permitting access to a subset of device features, but not to other device features of the device, matching with the access code stored in memory and wherein the authorization of the subset of device features occurs if each identified access code embedded in the job stream matches each stored access code for the job (see abstract, Col. 2, lines 32-66)." Applicants respectfully traverse.

Applicants respectfully submit that neither Kujirai nor Hokkanen teaches the features of wherein each embedded code is matched with an access code stored in memory and wherein the authorization of the subset of device features occurs if each identified access code embedded in the job stream matches each stored access code for the job, as claimed. As the Office has acknowledged, Kujirai does not disclose each embedded code permitting access to a subset of device features, but not to other device features of the device. Additionally, Applicants submit that Hokkanen does not disclose the features of each embedded code permitting access to a subset of device features, but not to other device features of the device, wherein each embedded code is matched with an access code stored in memory and wherein the authorization of the subset of device features occurs if each identified access code embedded in the job stream matches each stored access code for the job.

Instead, Hokkanen teaches that several sets of passwords corresponding to the different services may be stored in the terminal device and, **during or in connection with**

setup, the particular set of passwords corresponding to and for use with each service to be accessed is **automatically** selected (col. 2, lines 52-56) [emphasis added]. That is, automatic password selection for particular services is taught to occur in relation to a setup or log-in procedure for a device in Hokkanen, while in the present invention, embedded codes are matched with stored access codes and authorization for access to particular device features occurs if each identified access code that is embedded in the job stream matches each stored access code for a particular job. Thus, the features claimed in the present invention differ from those recited in Hokkanen and are also distinct. Stated another way, the matched embedded code of the present invention does not generally and automatically pull from a set of passwords during setup or log-in, but instead controls the permissions to a subset of device features that a user has at a particular device by matching the embedded codes with the stored codes for a particular job.

Further, Hokkanen teaches that the password is identified and verified by the server, and access to the service is then allowed or denied based on the supplied password (col. 2, lines 6-16). Thus, there appears to be no feature teaching or suggestion the matching of embedded code to access code in Hokkanen. Instead, Hokkanen seems to teach that the user may use a single code to access a single particular device feature once provided with the single code but fails to teach or suggest embedding the code into the job stream, as claimed. Because neither Kujirai nor Hokkanen teaches each and every limitation of independent claims 1, 6, 10, 14, 20 and 26, specifically, an embedded code permitting access to a subset of device features, but not to other device features of the device, wherein each embedded code is matched with an access code stored in memory and wherein the authorization of the subset of device features occurs if each identified access code embedded in the job stream matches each stored access code for the job, Applicants respectfully submit that Kujirai and Hokkanen fail to make obvious at least claims 1, 6, 10, 14, 20 and 26.

Accordingly, in view of the foregoing remarks, the Office is respectfully requested to reconsider and withdraw the rejections of claims 1, 6, 10, 14, 20 and 26. Since claims 2-5, 7-9, 11-13, 15-19, 21-25 and 27-31 depend from and contain the limitations of independent claims 1, 6, 10, 14, 20 and 26, respectively, they are distinguishable over the cited reference and patentable in the same manner as claims 1, 6, 10, 14, 20 and 26.

In view of all of the foregoing, applicant submits that this case is in condition for allowance and such allowance is earnestly solicited.

Respectfully submitted,

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